

**(d) Discovery Motions.**

The following steps are required prior to making any discovery motion pursuant to Rules 26 through 37 of the Federal Rules of Civil Procedure.

1. Parties must make good faith efforts among themselves to resolve or reduce all differences relating to discovery prior to seeking court intervention.
2. The moving party must confer in detail with the opposing party concerning the discovery issues between them in a good faith effort to eliminate or reduce the area of controversy and to arrive at a mutually satisfactory resolution. Failure to do so may result in denial of a motion to compel discovery and/or imposition of sanctions.
3. If the parties' conference does not fully resolve the discovery issues, the party seeking relief must then request a court conference with the assigned Magistrate Judge. Incarcerated, pro se parties are not subject to the court conference requirement prior to filing a motion to compel discovery. The assigned Magistrate Judge may direct the party making the request for a court conference to file an affidavit setting forth the date(s) and mode(s) of the consultation(s) with the opposing party and a letter that concisely sets forth the nature of the dispute and a specific listing of each of the items of discovery sought or opposed. Immediately following each disputed item, the party must set forth the reason why the item should be allowed or disallowed.
4. Following a request for a discovery conference, the Court may schedule a conference and advise all parties of a date and time. The discovery conference may be conducted by telephone conference call, initiated by the party making the request for the conference, by video conference, or by personal appearance, as the assigned Magistrate Judge directs.
5. Following a discovery conference, the Court may direct the prevailing party to submit a proposed order, on notice to the other parties.
6. If a party fails or refuses to confer in good faith with the requesting party, thus requiring the request for a discovery conference, at the Court's discretion, the resisting party will be subject to the sanction of the imposition of costs, including the attorneys' fees of opposing counsel in accordance with Fed. R. Civ. P. 37.
7. A party claiming privilege with respect to a communication or other item must specifically identify the privilege and the grounds for the privilege claimed. No generalized claims of privilege may be made.

8. Any motion to compel discovery that these Rules authorize shall be filed no later than **TEN CALENDAR DAYS** after the discovery cut-off date. See L.R. 16.2. Any motion filed pursuant to Fed. R. Civ. P. 37 shall be accompanied by the discovery materials to which the motion relates if those materials have not previously been filed with the Court.